IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

Bail Appl..No. 3494 of 2007()

S.T.NO.3239/2004 OF JFCM III THRISSUR

: PETITIONER/ACCUSED:

ABDUL GAFOOR, AGED 33 YEARS,
S/O. SAIDALAVI, ANGADIKATTIL HOUSE,
KARIMBA VILLAGE, PALAKKAD.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3494 of 2007

DATED: 6-6-2007

O R D E R

Petitioner who is the sole accused in S.T.No.3239/2004 of JFCM III, Thrissur, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in S.T. No.3239/2007 on the file of the J.F.C.M III,Thrissur, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance. Until such disposal warrants of arrest, if any, pending against the petitioner shall not be executed.

With the above observation, this application is disposed of.

V.RAMKUMAR, JUDGE.

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